

### REMARKS/ARGUMENTS

Claims 1-9, 13-19 and 21-22 are active. Claims 10-12 and 20 have been withdrawn from consideration. The claims have been revised to require deletion of the first 9-14 N-terminal amino acids and the specific G129R substitutional mutation. No new matter has been introduced. The Applicants thank Examiner Saoud for suggesting allowable subject matter in the telephone conversations on February 2, 2010. As discussed, the claims have been directed to polypeptides which do not exhibit agonist activity and which have the deletion of 9-14 amino N-terminal amino acid residues and substitution G129R. Favorable consideration of these arguments and allowance of this application are respectfully requested.

### Restriction/Election

The Applicants previously elected without traverse **Group I**, claims 1-9 and 12, directed to methods of using a protein (e.g., a prolactin variant). The Applicants respectfully request that the claims of the nonelected group(s) or claims directed to any other withdrawn subject matter which depend from or otherwise include all the limitations of an allowed elected claim, be rejoined upon an indication of allowability for the elected claim, see MPEP 821.04.

### Rejection—35 U.S.C. §103(a)

Claims 1-9 and 13-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goffin, et al., J. Biol. Chem. 271:16573, in view of Bernichtein, et al., Endocrine Soc., 82<sup>nd</sup> Annu. Meeting, Abstract 613. This rejection is moot in view of the amendments above.

Conclusion

In view of the amendments and remarks above, the Applicants respectfully submit that this application is now in condition for allowance. An early notice to that effect is earnestly solicited.

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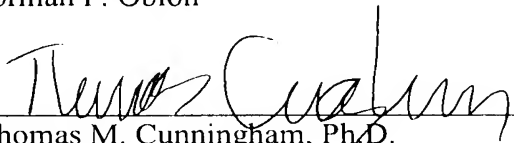
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(OSMMN 08/07)

Respectfully submitted,

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Norman F. Oblon

A handwritten signature in black ink, appearing to read "Thomas M. Cunningham", is written over a horizontal line.

Thomas M. Cunningham, Ph.D.

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